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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,171	12/15/2003	Vernon Meadows	BS00-035-CON	2159

39262 7590 05/20/2005

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EXAMINER	
TRIEU, VAN THANH	
ART UNIT	**PAPER NUMBER**
2636	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/734,171	MEADOWS ET AL.	
	Examiner	Art Unit	
	Van T Trieu	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Amendment filed on 3 Jan 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *42-63* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) *58-63* is/are allowed.

6)☒ Claim(s) *42-57* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. Claims 42-57 are rejected under 35 U.S.C. 102(e) as being anticipated by **Takahashi et al** [US 6,097,313].

Regarding claim 42, the claimed plurality of motion sensors along one or more roadways for detecting traffic information and transmit the detected traffic information (the road side unit includes traffic measurement devices/sensors 1207, 1208 are located along roadway for detecting number of vehicles, average speed, traffic density and so forth. The measured information is transmitted to the traffic measurement storage device 1204 and the traffic based preference information editing portion 1203 of the information transmission and reception control unit 1202, see Figs. 1 and 12, col. 25, lines 35-64); and the database for receiving and storing the detected traffic information and advertising information (the measured traffic information is transmitted to a storage device 1204 and to the information transmission and reception control 1202 includes a traffic based preference information editing portion 1203 for editing information stored in the storage means on the basic of a relative position between the

service provider/advertisement and a communication region of the transmitting means, see Figs. 1 and 12, col. 5, lines 42-67, col. 8, lines 36-52, col. 25, lines 58-67 and col. 26, lines 1-8); and wherein the database is configured to presented at least a portion of the advertising information of advertisers when at least a portion of the detected traffic information is requested (the edit able information portion 1203 obtained relating to a particular service provider/advertisers are preliminary stored. Then, by editing the stored information depending upon the relative position received from the traffic information measurement device/sensor 1207, 1208, and the particular service provider is requested and selected by a driver/user, see Figs. 1 and 3-12, col. 3, lines 15-44, col. 4, lines 29-41, col. 5, lines 42-67, col. 6, lines 37-42, col. 10, lines 24-46, col. 13, lines 1-55, col. 25, lines 35-67 and col. 26, lines 1-8).

Regarding claim 43, all the claimed subject matters are cited in respect to claim 42 above and including the wherein the plurality of motion sensors transmit the detected traffic information in programmed periodic intervals, variable according to time, such that motion sensors transmit more frequently during time intervals of historically high traffic volume (see col. 26, lines 9-17).

Regarding claim 44, all the claimed subject matters are cited in respect to claim 42 above, wherein the advertising information is presented before the at least a portion of the detected traffic information is provided (the service providers or advertisements are

preliminary stored and selected by a driver before the detection/measurement of traffic information, see col. 8, lines 36-43, col. 10, lines 24-46 and col. 11, lines 17-27).

Regarding claim 45, all the claimed subject matters are cited in respect to claim 42 above, and including the restaurant 1413, see Fig. 15B, col. 10, line 26 and col. 14, lines 56-57.

Regarding claim 46, the method claimed limitations are met by the apparatus claim 42 above.

Regarding claim 47, all the claimed subject matters are cited in respect to claims 43 and 46 above.

Regarding claim 48, all the claimed subject matters are cited in respect to claim 46 above, and including the storing mapping information, see Figs. 15A-D, col. 14, lines 35-45 and col. 15, lines 36-59.

Regarding claim 49, all the claimed subject matters are cited in respect to claim 46 above, wherein the in-vehicle database stores the advertising information of advertisers, see Figs. 15C and 15D, col. 15, lines 36-59.

Regarding claim 50, all the claimed subject matters are cited in respect to claim 46 above, and including receiving requests for geographic direction from a starting location to a destination location, which reads upon the editing means using information relating to destination transmitted from the vehicle-mounted unit by a driver and generates information directed to the vehicle, which is the source of the information relating to the destination location, see col. 5, lines 1-5 and col. 11, lines 17-27.

Regarding claim 51, all the claimed subject matters are cited in respect to claim 50 above, and the transmitting advertising information of at least one advertiser having a geographic location within a predetermined distance form the destination location, see Figs. 1 and 3, col. 8, lines 36-52, col. 12, lines 45-67 and col. 13, lines 1-36.

Regarding claim 52, all the claimed subject matters are cited in respect to claim 46 above, and including the cellular telephone, see col. 9, line 8.

Regarding claim 53, the method claimed limitations are met by the apparatus claims 42, 50 and 51 above, and including overlaying/overlapping the traffic information, see Figs. 15C and 15D, col. 15, lines 36-59.

Regarding claim 54, all the claimed subject matters are cited in respect to claim 53 above, and including the GPS, see col. 28, line 19.

Regarding claim 55, all the claimed subject matters are cited in respect to claims 43, 46 and 47 above, and including the wireless network (the cellular telephone network, see col. 1, lines 11-25 and col. 9, lines 3-9.

Regarding claim 56, all the claimed subject matters are cited in respect to claims 46 and 55 above.

Regarding claim 57, all the claimed subject matters are cited in respect to claim 46 above, and including the Internet-capable browser through an Internet communication link (the internet technology, see col. 19, lines 49-59).

Response to Arguments

2. Applicant's arguments filed on 03 January 2005 have been fully considered but they are not persuasive. According to the amendment and the update search, a new reference of **Takahashi et al** is introduced to make the rejection of claims 42-57 smoother.

Conclusion

3. Claims 58-63 are allowable over the prior art.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Jeffery Hofsass** can be reached on (571) 272-2981.

Van Trieu
Primary Examiner
Date: 5/18/05